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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/657,130

09/09/2003

Micho Tada

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9219

9629 7590 11/26/2007
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EXAMINER

MORRISON, THOMAS A

ART UNIT

PAPER NUMBER

3653

MAIL DATE

DELIVERY MODE

11/26/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/657,130

Applicant(s)

TADA ET AL.

Examiner

Thomas A. Morrison

Art Unit

3653

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 August 2007.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-22 is/are pending in the application.
- 4a) Of the above claim(s) 3, 15-18 and 20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 4-14, 19, 21 and 22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Applicant's amendment of 8/9/2007 has been entered.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1, 4-14, 19 and 21-22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claim 1, this claim recites "**a reference member**" in lines 5-6. After this, claim 1 recites, "wherein the side position regulating mechanism includes **a side guide**..." Based on the disclosure of the instant application, it appears that the recited "a reference member" and the recited "a side guide" are the same element. See, e.g., page 10, line 25 to page 11, line 6 of the specification of the instant application. Thus, it is unclear how many different side guides and reference members are claimed in claim 1. One possible solution would be to change the terms "a reference member" in lines 5-6 to "a side guide", and then change "a side guide" in line 10 of claim 1 to -- the side guide --.

Claim 1 also recites, "wherein the side position regulating mechanism includes a side guide disposed on a side of the sheet transportation path and **correspondingly with the side edge position of the sheet**". (emphasis added). It is unclear what is meant by this recitation. Does the side guide somehow align the side edge position of the sheet? Further clarification is requested.

Claim 13 recites the limitation "the controlling device" in line 2. There is insufficient antecedent basis for this limitation in the claim. Claim 13 appears to improperly depend from claim 11. Rather, it appears that claim 13 should depend from claim 12.

Regarding claim 14, this claim appears to improperly depend from claim 11. Rather, it appears that this claim should depend from claim 13.

Regarding claim 19, this claim recites "**a reference member**" in lines 6-7. After this, claim 19 recites "wherein the side position regulating mechanism includes **a side guide...**" Based on the disclosure of the instant application, it appears that the recited "reference member" and the recited "a side guide" are the same element. See, e.g., page 10, line 25 to page 11, line 6 of the specification of the instant application. Thus, it is unclear how many different side guides and reference members are claimed in claim 19. One possible solution would be to change the terms "a reference member" in lines 6-7 to "a side guide", and then change "a side guide" in line 11 of claim 19 to -- the side guide --.

Claim 19 also recites, "wherein the side position regulating mechanism includes a side guide disposed on a side of the sheet transportation path and **correspondingly with the side edge position of the sheet**". (emphasis added). It is unclear what is meant by this recitation. Does the side guide somehow align the side edge position of the sheet? Further clarification is requested.

Allowable Subject Matter

3. Claims 1, 4-14, 19 and 21-22 are currently too indefinite to determine the allowability of these claims. However, it appears that language could be worked out to overcome the rejections outlined above. Applicant's representative is welcome to contact the examiner to try to work out language to overcome the rejections above.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas A. Morrison whose telephone number is (571) 272-7221. The examiner can normally be reached on M-F, 8am - 5pm.

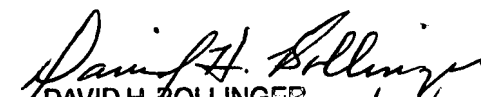
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Mackey can be reached on (571) 272-6916. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

11/21/2007


DAVID H. BOLLINGER
PRIMARY EXAMINER 11/21/07